
Scrutiny Review - Mobile Phone Masts

FRIDAY, 13TH JANUARY, 2006 at 14:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

Councillors:

Councillor Gideon Bull (Chair), Councillor Dhiren Basu and Councillor Wayne Hoban

AGENDA

1. APOLOGIES FOR ABSENCE

Apologies for absence have been received from Councillor Bull. Councillor John Bevan will attend in his place.

To consider any other apologies for absence.

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business .Where the item is already on the agenda it will be dealt with under that item but new items of urgent business will be dealt with at item 6

3. MINUTES OF PREVIOUS MEETING (PAGES 1 - 4)

To confirm the minutes of the meeting held on 19 December 2005

4. DECLARATIONS OF INTEREST, IF ANY, IN RESPECT OF ITEMS ON THIS AGENDA

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

5. EVIDENCE FROM THE MOBILE OPERATORS ASSOCIATION AND PHONE OPERATORS (PAGES 5 - 8)

To receive evidence regarding site selection and consultation processes. There will be an opportunity to ask the representatives questions submitted in advance.

For your information a copy of the ten commitments to best siting practice published by the Mobile phone operators is attached.

6. URGENT BUSINESS

To deal with any new items of urgent business admitted at item 2 above.

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SCRUTINY REVIEW OF MOBILE PHONE MASTS**NOTES OF MEETING HELD ON 19 DECEMBER 2005**

Members present: Councillors Bull and Hoban

SCMP 6 APOLOGIES FOR ABSENCE (IF ANY)

Received from Councillor Basu

SCMP 7 URGENT BUSINESS

None

SCMP 8 DECLARATION OF INTEREST, IF ANY, IN RESPECT OF ITEMS ON THE AGENDA

Councillor Bull advised that his employing company had recently been taken over by a company with business interests in the mobile phone market. They were not one of the five operating companies. He stated that he would be taking further advice on whether he needed to update the public register of Members interests to make his position perfectly clear or to make a further statement.

SCMP 9 NOTES OF MEETING HELD ON 25 NOVEMBER 2005

Residents considered that there was a need for the Council to look into the issue of its own liability as a landlord and employer to ensure that all reasonable precautions had been taken to protect residents, staff and visitors.

RESOLVED:

That the notes of the meeting held on 25 November 2005 be agreed and signed subject to the following addition under "SCMP 5 " -Other issues raised

- Liability of the Council where masts were installed on Council land

SCMP 10 MOBILE PHONE MASTS (Report of the Assistant Director, Planning, Environmental Policy and Performance)

The Panel received details of the number of masts/antennae sites in Haringey, the number of applications submitted to the Planning service since April 2000, on the level of consultation carried out on Planning applications, and on roll-out plans of the five Mobile phone companies for future installations.

There was some discussion as to whether there were additional TETRA sites. The Panel would be supplied with details of all the information that the Council should be provided with for all applications for masts.

Visual amenity was the only grounds for refusal of planning permission. Where applications were refused the appellant was able to appeal to the Planning Inspectorate who would visit the site and consider the evidence from the Council, the appellant, and from local residents and make a decision. Some Inspectors took perceived health risks into account. Applicants could not resubmit the same application on another occasion. Equally the Council could not introduce an additional reason for refusal at a later stage. In this situation the mobile phone companies could come back with a revised scheme which was visually different and therefore it was difficult for the Council to refuse the application. The reasons for residents' objections had to relate to planning matters rather than sheer numbers of objections. The Planning service did try to explain the factors that could be taken into account as a material consideration in their consultation letter. Also the Council organised public consultation meetings and wished residents to be engaged with the process. They gave advice to residents not to object on health grounds. It was suggested that perceived health risk should be sited as a reason for refusal on all new applications. The Panel was advised that Chris Maile from Planning Sanity had produced written evidence to suggest that this reason could be used. Local residents agreed to ascertain whether any other Council's had introduced supplementary planning policy. Also residents suggested for applications under prior approval loss of amenity should be a material ground to refuse such applications.

There was a suggestion that there had been further objections in respect of some of the applications than was stated in the report. In particular in respect of the application for Durnsford Road the Panel was advised that many e-mails had been sent to the Chief Executive. Officers explained that the information had probably been taken from the report to Planning Committee and that comments received after the report had been prepared would have been reported verbally to the Committee and would be shown in the minutes. The Panel noted that there was a planning consultation policy and that for mobile phone mast applications the formula for consultation was always exceeded. Additionally a site visit was undertaken to ascertain whether there were any other nearby properties that should be consulted and in Conservation Areas notices were posted up. Residents considered that notices should be posted up for all applications. Additionally all operators were encouraged to undertake pre-application consultation for any major scheme.

Residents expressed concern that the mobile phone operators were not taking the views of residents into account and examples were given.

In response to a question as to the consequences of a ban of masts on Council owned land officers advised that the planning process was the same for applications on Council land and on private land. It was considered worthwhile to ask other Council's that had introduced a ban whether it had reduced the number of masts in the Borough. Additionally there may be sites on Council land that would be suitable for masts such as in Parks. If an exclusion zone or a near exclusion zone was introduced around schools and

other sensitive sites officers stated that there may possibly be no masts in Muswell Hill.

Other issues raised included:-

- Responsibility of Council for the protection of children (Children's Act 1979) Human Rights Act 1998 and Aarhus Convention
- Potential to illegally upgrade specification on sites. The possibility of spot checks was suggested.

RESOLVED:

1. That the evidence received be taken into account in the preparation of the final report.
2. That a detailed breakdown of the number and location of phone masts be provided on a Ward by Ward basis.
3. That the Panel give consideration to the evidence produced by Chris Maile from Planning Sanity on supplementary planning policy.

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Developing Mobile Networks

Ten Commitments to best siting practice

With 47 million mobile phone users throughout the UK, network operators are committed to providing the radio base stations required to meet customer service demands.

However while many people are benefiting from mobile phone technology, there are still some concerns about potential unknown health risks, particularly relating to radio base stations.

In line with the Stewart Report's recommendation for a precautionary approach to mobile phone technology and health, the mobile phone operators are addressing these concerns directly.

The operators believe communication and consultation are imperative in ensuring that the process of building mobile phone networks is transparent, and that the public is involved and informed.

The Ten Commitments to best siting practice are the operators' means of making sure that these goals are achieved.



What are the Ten Commitments?

The operators are implementing ten best siting practice commitments to:

- 1 develop, with other stakeholders, clear standards and procedures to deliver significantly improved consultation with local communities
- 2 participate in obligatory pre-rollout and pre-application consultation with local planning authorities
- 3 publish clear, transparent and accountable criteria and cross-industry agreement on site sharing, against which progress will be published regularly
- 4 establish professional development workshops on technological developments within telecommunications for local authority officers and elected members
- 5 deliver, with the Government, a database of information available to the public on radio base stations
- 6 assess all radio base stations for international (ICNIRP) compliance for public exposure, and produce a programme for ICNIRP compliance for all radio base stations as recommended by the Independent Expert Group on Mobile Phones
- 7 provide, as part of planning applications for radio base stations, a certification of compliance with ICNIRP public exposure guidelines
- 8 provide specific staff resources to respond to complaints and enquiries about radio base stations, within ten working days
- 9 begin financially supporting the Government's independent scientific research programme on mobile communications health issues
- 10 develop standard supporting documentation for all planning submissions whether full planning or prior approval



What is the aim of the Ten Commitments?

The second and third generation mobile phone operators - 3, O2, Orange, T Mobile and Vodafone - are implementing the Ten Commitments to improve transparency of the process of building mobile phone networks, provide more information to the public and local authorities, and increase the role of the public in the siting of radio base stations.

The Ten Commitments to best siting practice were launched by the operators in 2001 to supplement Government planning regulations, in an effort to strengthen links with the community through open dialogue. They were developed in consultation with other stakeholders and have received support from the Local Government Association and activist groups such as Mast Action UK.

The operators believe this combination of current planning laws and the implementation of the Ten Commitments is the best way to address community concerns about radio base station siting.

At the heart of the Ten Commitments is the aim to ensure that a proper balance is struck between access to highly popular mobile services in the UK, and a need for greater environmental and social responsibility in building the networks which support those services.

"The balance of evidence indicates that there is no general risk to the health of people living near base stations, on the basis that exposures are expected to be small fractions of guidelines"

Stewart Report
May 2000



What does this mean on a practical level?

"None of the recent reviews have concluded that exposure to RF fields from mobile phones or their base stations causes any adverse health consequence."

World Health Organisation,
Fact Sheet 193,
June 2000

The operators are implementing the Ten Commitments in a number of ways. A programme of stakeholder roundtables has been initiated, the mobile industry is funding half the Government's £7 million independent research into mobiles and health, and the method of complaints and enquiries handling by operators has been improved.

Consultation with key local government and community stakeholders is being implemented, using specially-designed cross-industry criteria to determine the amount and type of public consultation that is required for any proposed radio base station site. This public consultation is undertaken by the operator in addition to that required to be carried out by the local authority. In addition, once a year each operator will share its network building plans for the forthcoming twelve months with local authorities.

Operators are conducting forums and seminars throughout the UK to ensure planners and local councillors are aware of the current planning regulations concerning radio base stations, and are aware of the rights of both the local community and the operators in the issue of radio base station siting.

Further Information

For further details about the Ten Commitments, please contact:

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